



**EXPEDITED RULE MAKING
(Chapter 25, Laws of 2001)**

**CR-105 (7/22/01)
EXPEDITED RULE MAKING ONLY**

Agency: Department of Ecology A.O. #: 04-04

(a) Title of rule: WAC 173-26-105 Review by ecology under Part III—Election by local governments of intent to develop pursuant to Part IV.

Purpose: Repeal of WAC 173-26-105 Review by ecology under Part III—Election by local governments of intent to develop pursuant to Part IV.

Other identifying information:

(b) Statutory authority for adoption: RCW 90.58.060 and RCW 90.58.200

Statute being implemented: RCW 90.58, the Shoreline Management Act of 1971.

(c) Summary: An oversight in the recently completed rule-making process adopting new shoreline management guidelines, incorrectly left in effect the subject section, which is no longer relevant. The subject section should have been repealed simultaneous with adoption of new guidelines, as it relates to the two distinct paths (Parts III and IV) of the old guidelines, which no longer exist.

Reasons supporting proposal: See purpose and summary above.

(d) Name of Agency Personnel Responsible for:	Office Location	Telephone
1. Drafting..... Peter Skowlund	Olympia, WA	360.407.6522
2. Implementation...Peter Skowlund	Olympia, WA	360.407.6522
3. Enforcement..... Peter Skowlund	Olympia, WA	360.407.6522

(e) Name of proponent (person or organization): Washington State Department of Ecology

☐ Private
☐ Public
☒ Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters:

(g) Is rule necessary because of:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, ATTACH COPY OF TEXT Citation:
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO

Name: Jerry Thielen, Agency Rules Coordinator

Agency: Washington Department of Ecology

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AND RECEIVED BY: 5:00pm, April 20, 2004

NAME (TYPE OR PRINT)

Polly Zehm

SIGNATURE

POLLY ZHEM

TITLE

Interim Deputy Director

DATE

2/13/04

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CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

FEB 18 2004

TIME 9:25 AM
WSR 04-05-105

(COMPLETE REVERSE SIDE)

(j) Short explanation of rule, its purpose, and anticipated effects:

See purpose and summary above.

Does proposal change existing rules? X YES ☐ NO

If yes, describe changes: Section 173-26-105
WAC, will be repealed.